REMARKS

The patentability of claims 19 and 20 has been explained in the Amendment / Reply for RCE sent by certificate of mailing with the RCE on September 9, 2003

Claim 21 is similar to claim 19, but is intended to cover an embodiment such as described for example at page 36, the middle paragraph, beginning at the third line of the middle paragraph.

Dependent claim 22 refers to an embodiment such as described at the bottom of page 13, the fourth, third and second lines from the bottom of page 13, and to an interval timer such as described at page 38, lines 1 - 4, and in FIG. 4 at block 403. See also page 27, the second complete paragraph, reading:

"Similarly, with the present design, the capture unit 202 need not be restricted by the dedication of the host unit 204. If capturing images occurs rapidly in comparison to image delivery and decode processing times (for example with remote shared host units and/or two-dimensional image decoding), the capture unit 202 is able to enter a sleep or low power mode during the interval timer 212 time out instead of making possibly futile attempts to deliver a continuous stream of images to an unreachable or unavailable host unit for decode processing."

Dependent claim 23 is based on the disclosure at page 26, lines 3-7, for example.

With respect to dependent claim 24, processing of two-dimensional code is illustrated in FIG. 1B, and is described for example at page 16, lines 4-17.

Dependent claim 25 refers to an example such as described at page 36, the last four lines, and at page 37, lines 1-9, for example.

Independent claims 26 and 27 relate to processing of two-dimensional code e.g. as illustrated in FIG. 1B, and as described for example at page 16, lines 4-17.

Dependent claims 28 and 29 are supported, for example, at page 16, lines 6-10.

Dependent claims 30 and 31 are based on the example given at page 21, line 7, for example.

With respect to new claims 21-31, applicant has explained in detail in the Amendment/Reply for RCE of September 9, 2003 that Postman et al 6,041,374 would not be understood by one of ordinary skill in the art as teaching that a nonvolatile memory on a PC card could contain a whole day's worth of scan data in undecoded form. (If the scan data is undecoded, the operator of the scanner would not know if decodable information on scanned bar codes had been obtained for an entire day.) For undecoded data, the teaching of Postman is that each undecoded image as it is generated, is sent to the decoding circuitry, which upon a successful decode, as per 160, FIG. 6A of Postman, sends an appropriate signal, whereupon per 162, the laser scanning mechanism is powered down.

With respect to col. 51, lines 39 – 41, of Postman, there is no teaching to one of ordinary skill that plural undecoded images are stored. See, for example, col. 51, lines 58 –

62, which confirms that once there is sample data from a complete barcode in data buffer 778, FIG. 37, the barcode decode software routine 798 is invoked.

The teaching of Metlitsky et al 5,545.886 at col. 11, lines 41 – 46, would clearly be understood by one of ordinary skill in the art, as referring to the scanning arrangements of FIGS. 7, 8, 9 and 10, where the signal from the photo detector 15, FIG. 17, is a resultant of the two scan lines 13a and 13b.

Page 11, lines 46 – 52, of Metlitsky would be understood by one of ordinary skill in the art as referring to an embodiment such as shown in FIG. 14, or FIGS. 19 – 21, which are unrelated to former claim 2, or present claims 21-31.
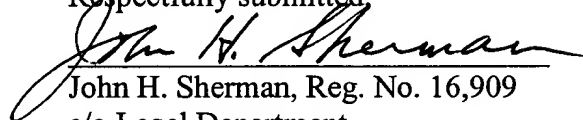
Payment of Extra Claim Fees

The Patent and Trademark Office is hereby authorized to charge fees under 37 CFR 1.17 to Deposit Account 14-1190 in accordance with the enclosed Fee Transmittal form. Should there be a deficiency in the Deposit Account so that, for example, the present charge for the additional claim fee is not covered by the balance in the Deposit Account, please charge such fees to the attached Credit Card Payment Form.

CONCLUSION

An earnest effort has been made to fully respond to the final Official Action of April 9, 2003, and a favorable consideration and allowance of the claims as now presented is respectfully solicited.

Respectfully submitted,

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Enclosures: (1) Fee Transmittal Form for Payment of the Extra Claim Fee

(2) Credit Card Payment Form (For Use Only in Case of a Deficiency in the Deposit Account)